

Notice of Allowability

Application No.

10/765,446

Examiner

Jila M. Mohandesi

Applicant(s)

BERGH ET AL.

Art Unit

3728

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/20/2007.
2. ☒ The allowed claim(s) is/are 51-55.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 04/23/2007.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JILA M. MOHANDESI
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's attorney Mr. Craig W. Mueller on April 23, 2007.

The application has been amended as follows to better define the instant invention over the prior art of record:

Claim 51 was amended as follows:

51. (Twice Amended) A sleeve adapted for holding a plurality of electronic discs on a front side and at least one graphics page on a back side, comprising:

a flexible front sheet having a top edge, a bottom edge, and lateral edges extending there between;

a plurality of openings in said front sheet which are operably sized to receive the electronic discs, said plurality of opening including a second opening positioned above a first opening, a third opening positioned substantially adjacent to said first opening and a fourth opening positioned above said third opening and adjacent to said second opening;

a flexible back sheet having a top edge, a bottom edge, and lateral edges positioned there between;

a flexible middle sheet positioned between said flexible front sheet and said flexible back sheet, said flexible front sheet, said flexible back sheet and said flexible middle sheet interconnected along at least said bottom edge and said lateral edges to form a plurality of pockets positioned proximate to each of said first opening, second opening, third opening and fourth opening for holding the electronic discs; and a fifth and sixth pocket formed between said middle sheet and said flexible back sheet for holding a plurality of graphics, said fifth pocket and said sixth pocket having a larger storage area than that of at least one of said plurality of pockets;

a first DVD stop seal interconnecting said front sheet to said middle sheet between said first opening and said second opening wherein the electronic disc in said second pocket is elevated above the electronic disc positioned in said first pocket; and

a second DVD stop seal interconnecting said front sheet to said middle sheet between said third opening and said fourth sheet wherein the electronic disc in said fourth pocket is elevated above the electric disc positioned in said third pocket.

The specification was amended as follows to provide antecedent basis for the claim language:

Please replace the paragraph beginning on Page 11, Line 19 with the following:

Referring now to Figs. 13 and 14, a front perspective and front elevation view of the sleeve 2 of the present invention is provided herein. As identified in these drawings, the front sheet 6 is preferably comprised of a non-woven material, which is non-scratching and suitable for interconnection with a middle sheet 18, which is made of a similar non-woven material, which is not likely to scratch the recording

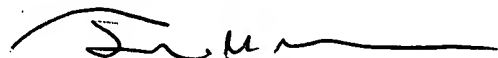
surface of the DVD. As previously discussed, different woven or non-woven materials may additionally be used for the same purpose. As seen in Fig. 13, at least one DVD stop seal 28 is provided at substantially a mid-point between an upper edge and a lower edge of the DVD sleeve 2. The DVD stop seal 28 is designed to interconnect the middle sheet 18 to the front sheet 6, and hence define a first DVD pocket 22 which supports one DVD, while the second DVD pocket 36 is defined by a bottom edge 10 of the DVD sleeve 2. Thus a first DVD may be inserted in the first DVD pocket 22, a second DVD may be inserted in a second DVD pocket 36, a third DVD may be inserted in a third DVD pocket, and a fourth DVD may be inserted in a fourth DVD pocket. Accordingly, four individual DVDs may be positioned on one side of the DVD sleeve 2 of the present invention, while two graphic sheets associated with the DVDs may be positioned in a fifth graphics pocket and a sixth graphics pocket on the opposite side of the DVD sleeve 2. The fifth and sixth pockets having a larger storage area than that at least one said first, second, third and forth pockets. As appreciated by one skilled in the art, additional numbers of pockets may be designed and positioned in various combinations of sheets to facilitate additionally storage, and is dictated only by the size of the sleeve 2, and the number of pockets created to hold individual DVDs.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jila M. Mohandesi whose telephone number is (571) 272-4558. The examiner can normally be reached on Monday-Friday 7:30-4:00 (EST).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jila M Mohandesi
Primary Examiner
Art Unit 3728

JMM
April 23, 2007